

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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JULIA NELSON,  
*individually and as Administratrix of the Estate of Alfred  
Nelson, Deceased, et al.,*

Plaintiffs,

**ORDER**

-against-

03-CV-1505 (ERK) (KAM)

BAYLEY SETON HOSPITAL, et al.,

Defendants.

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**KIYO A. MATSUMOTO, United States Magistrate Judge:**

Upon the motion of Dolores Nelson, in her capacity as the administratrix of the estate of Dolores Nelson, deceased, to be substituted as party plaintiff for the deceased Dolores Nelson pursuant to Federal Rule of Civil Procedure 25(a)(1), and all parties having received notice of the motion and no opposition having been received, the motion is hereby granted for the reasons set forth in plaintiffs' Memorandum of Law in support of the instant motion. See Local Civil Rule 7.1; Elbex Video Kabushiki Kaisha v. Taiwan Regular Elecs. Co., 93 Civ. 6160, 1996 WL 87278, at \*4 (S.D.N.Y. Jan. 25, 1996) (holding that under Local Civil Rule 3(b), the precursor to Local Civil Rule 7.1, "defendants' failure to respond to the motion is, by itself, sufficient basis to grant the motion."); Zaccaro v. State of N.Y., 176 F.R.D. 54, 55 (N.D.N.Y. 1997).

**SO ORDERED.**

Dated: August 4, 2005  
Brooklyn, New York

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/s/  
**Kiyo A. Matsumoto**  
United States Magistrate Judge